HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.10191 of 2001

Dated 4th day of July, 2007

Between:

Vijaya Chemicals,
Rep. by its Managing Partner, B.V.Bucheswara Rao
Piduguralla ..
Petitioner

And

The Assistant Accounts Officer,
Electricity Revenue Office,
Andhra Pradesh Southern Power
Distribution Company Ltd.,
Sattenapalli, Guntur District. ..
Respondent

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O R D E R:

This writ petition is filed to quash Bill No.703/H.B., dated 1.5.2001 issued by the respondent by which the petitioner is demanded to pay fuel charges for the period 4/97 to 3/98.

The case of the petitioner-industry in brief is that it established a small-scale industry in Piduguralla village, Piduguralla Mandal, Guntur District and took power connection from the Electricity Department and is regularly paying electricity bills without any default. The respondent issued Bill No.703/H.B., dated 1.5.2001 demanding it to pay a sum of Rs.1,02,188/- including a sum of Rs.14,700.39 towards fuel charges pertaining to the period 4/97 to 3/98. The payment of fuel charge is barred by limitation and it cannot be collected as and when they like as per Sections 49 and 60-A of Electricity (Supply) Act, 1948. The petitioner paid only Rs.87,407.61 towards consumption charges. Now, the grievance of the petitioner is that the respondent, without following due process of law, is taking steps to disconnect the power supply to its industry.

This Court, on 22.5.2001, while ordering Rule Nisi, granted interim direction to the respondent not to disconnect the power supply to the petitioner-industry on condition that the petitioner pays half of the fuel charges within a period of four weeks from that day along with regular consumption charges.

Today, when the matter is taken up for hearing the learned

counsel for the petitioner has fairly submitted that this Court dismissed similar writ petitions, and hence, this writ petition also can be dismissed.

In the light of his fair submission, this writ petition is dismissed. No costs.

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04.07.2007

bcj